

Amend CSSB 746 as follows:

(1) Strike SECTION 2 of the bill (Committee printing page 2, line 59 through page 3, line 2) and substitute the following:SECTION 2. Section 36.104, Human Resources Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) If the state declines to take over the action, the person bringing the action may proceed without the state's participation. A person proceeding under this subsection may recover for an unlawful act for a period of up to six years before the date the lawsuit was filed, or for a period beginning when the unlawful act occurred until up to three years from the date the state knows or reasonably should have known facts material to the unlawful act, whichever of these two periods is longer, regardless of whether the unlawful act occurred more than six years before the date the lawsuit was filed. Notwithstanding the preceding sentence, in no event shall a person proceeding under this subsection recover for an unlawful act that occurred more than 10 years before the date the lawsuit was filed.

(b-1) On request by the state, the state is entitled to be served with copies of all pleadings filed in the action and be provided at the state's expense with copies of all deposition transcripts. If the person bringing the action proceeds without the state's participation, the court, without limiting the status and right of that person, may permit the state to intervene at a later date on a showing of good cause.

(2) In SECTION 3 of the bill, in amended Subsection (b), Section 36.110, Human Resources Code (Committee printing page 3, line 8), strike "state criminal or civil hearing, in a state" and substitute "Texas or federal criminal or civil hearing, in a Texas or federal".

(3) In SECTION 4 of the bill, in amended Subsection (b), Section 36.113, Human Resources Code (Committee printing page 3, line 32), strike "state" and substitute "Texas or federal".

(4) In SECTION 4 of the bill, in amended Subsection (b), Section 36.113, Human Resources Code (Committee printing page 3, line 34), strike "state legislative or administrative report, or other state" and substitute "Texas legislative or administrative report, or other Texas".